

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS  
BOARD WASHINGTON, D.C.**

**D2 ABATEMENT, INC. and PREMIER  
ENVIRONMENTAL SOLUTIONS LLC, Alter Egos**

**Respondents**

**and**

**Case 07-CA-133250**

**DISTRICT COUNCIL 1M, INTERNATIONAL  
UNION OF PAINTERS AND ALLIED TRADES  
(IUPAT), AFL-CIO**

**Charging Party**

**COUNSEL FOR THE GENERAL COUNSEL’S MOTION FOR EXPEDITED  
DECISION ON MOTIONS TO TRANSFER CASE AND CONTINUE  
PROCEEDINGS BEFORE THE BOARD AND FOR DEFAULT JUDGMENT AS  
TO RESPONDENT D2 ABATEMENT, INC.**

Now comes Mary Beth Foy, Counsel for the General Counsel in this matter, and pursuant to Sections 102.24 and 102.50 of the Board's Rules and Regulations, Series 8, as amended, files this Motion for Expedited Decision on Motions to Transfer Case to and Continue Proceedings Before the Board and Motion for Default Judgment As to Respondent D2 Abatement, Inc., and in support of the Motions, states as follows:

1. On January 25, 2016, Counsel for General Counsel filed its Motions to Transfer Case to and Continue Proceedings Before the Board and Motion for Default Judgment As to Respondent D2 Abatement, Inc.

2. On January 28, 2016, the Board issued its Order Transferring Proceeding

to the Board and Notice to Show Cause and therein afforded the parties until February 11, 2016 to show cause, in writing, why the General Counsel's Motions should not be granted.

3. None of the parties have responded to the Board's Notice to Show Cause and the time period for responding is now expired.

4. There is an outstanding Complaint and Notice of Hearing in this matter which was scheduled for hearing on February 1, 2016. That hearing was postponed by the Board's Division of Judges at Respondent Premier Environmental Solutions LLC's request on January 14, 2016. A new hearing date has not been scheduled. A final ruling by the Board on the instant motions would be in the best interests of all parties involved and effectuate the purposes of the Act.

**WHEREFORE**, Counsel for the General Counsel respectfully moves:

1. That Counsel for General Counsel's Motion for Expedited Decision on Motions to Transfer Case to and Continue Proceedings Before the Board and Motion for Default Judgment As to Respondent D2 Abatement, Inc. be granted and its Motions to Transfer Case to and Continue Proceedings Before the Board and Motion for Default Judgment be ruled on immediately so that in the event they are granted, the necessity and expense of a hearing involving Respondent D2 will be obviated.

2. That all allegations of the Complaint be deemed to be admitted to be true, and so found by the Board, and that Respondent D2 be found by the Board to have violated Section 8(a)(1)(3) and (5) of the National Labor Relations Act, as amended,

without taking evidence in support of the Complaint.

3. That the Board issue a Decision containing findings of fact, conclusions of law, and an Order, all consistent with the allegations in the Complaint against Respondent D2 and the prayer for relief set forth therein.

Respectfully submitted this 22<sup>nd</sup> day of March, 2016.

*/s/ Mary Beth Foy*

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**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION SEVEN**

**D2 ABATEMENT, INC. AND PREMIER  
ENVIRONMENTAL SOLUTIONS LLC**

**and**

**Case 07-CA-133250**

**DISTRICT COUNCIL 1M, INTERNATIONAL UNION  
OF PAINTERS AND ALLIED TRADES (IUPAT), AFL-  
CIO**

**AFFIDAVIT OF SERVICE OF: Counsel for the General Counsel's Motion for Expedited  
Decision on Motions to Transfer Case to and Continue Proceedings Before the Board and Motion  
for Default Judgment As to Respondent D2 Abatement, Inc.**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that **on March 22, 2016**, I served the above-entitled document(s) by electronic mail or regular mail, as noted below, upon the following persons, addressed to them at the following addresses:

**Sent via Overnight Mail**

Duane Jones  
D2 Abatement, Inc.  
41105 Technology Dr.  
Sterling Heights, MI 48314

Duane Jones  
Premier Environmental LLC (courtesy copy)  
41105 Technology Dr.  
Sterling Heights, MI 48314

**Sent via Regular Mail**

Duane Jones  
D2 Abatement, Inc.  
36755 Metro Ct.  
Sterling Heights, MI 48322

Duane Jones  
D2 Abatement, Inc.  
36755 Metro Ct., Suite A  
Sterling Heights, MI 48322

**Sent via email**

J. Douglas Korney, Esquire  
Counsel for District Council 1M, International  
Union of Painters and Allied Trades  
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March 22, 2016  
(Date)

/s/ Mary Beth Foy  
(Signature)

(Title)